DETAILED ACTION

Status of Claims

1.   Claims 1-48, 51, 62 and 72 are canceled. Claims 49-50, 52-61 and 63-71are now

pending. A detailed action follows.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 49-50, 52-61 and 63-71are rejected under 35 U.S.C. 103(a) as being

unpatentable over Geiger et al., US Pat. No. 6,073,142, in view of Malik, US Pat. No.

7,089,286.

4.   As to claim 49, Geiger teaches the invention substantially as claimed. Geiger teaches a

communication apparatus which is connected to an E-mail server via a network, said

communication apparatus comprising (Geiger, Fig 1,102):

        a receiving unit (Geiger, Fig 3, 282), adapted to receive an E-mail which is to be sent to

said communication apparatus stored in a mailbox provided on an E-mail server (Geiger, Col.

11, lines 1-10);

a first obtaining unit (Geiger, Fig 2, 200), adapted to obtain size information, the size

information indicating a size of the E-mail stored in the mailbox (Geiger, Col. 3, lines 40-50,

Col. 6, lines 20-25, Col. 6, lines 50-60, Col. 10, lines 30-40);

a discriminating unit (Geiger, Fig 2, 210), adapted to discriminate whether or not to

receive the E-mail before said receiving unit receives the E-mail based on the size information

obtained by said first obtaining unit (Geiger, Col. 10, lines 32-42; col. 3, lines 29-52, col. 12,

lines 32-51, col. 13, lines 15-34);

wherein, in a case where said discriminating unit discriminated to receive the E-mail,

said receiving unit receives the E-mail that said discriminating unit discriminated to receive,

and in a case where said discriminating unit discriminates not to receive the E-mail, said

receiving unit does not receive the E-mail that said discriminating unit has discriminated not to

receive (Geiger, Col. 10, lines 32-42, Col. 7, lines 3-15); and

wherein said discriminating unit further discriminates whether or not to receive an E-

mail other than the E-mail that said discriminating unit has discriminated not to receive

(Geiger, Col 10, lines 32-42).

However, Geiger does not explicitly teach a discriminating unit, adapted to discriminate

whether or not to receive the E-mail stored in the mail box before said receiving unit receives

the E-mail from the E-mail server by sending a command. In the same field of endeavor, Malik

teaches a system and method for filtering emails comprising a discriminating unit, adapted to

discriminate whether or not to receive the E-mail stored in the mail box before said receiving

unit receives the E-mail from the E-mail server, based on the attribute information (Malik, col.

1, line 48—col. 2, line 6 and col. 2, lines 30-44).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the email server mailbox filtering as taught by Malik into the email filtering system of Geiger for the purpose of decreasing network traffic and filter efficiency. Further, applying the known technique of remote filtering as taught by Malik to the known device of Geiger would yield predictable results.

5.   As to claims 50 and 59, Geiger-Malik teaches the communication apparatus further comprising a controlling unit (Geiger, Fig 2), adapted to, in a case where said discriminating unit discriminated not to receive the Email, send to the E-mail server an instruction for deleting from the mail box the E-mail that said discriminating unit discriminated not to receive, and to delete E-mails after the receiving unit receives that E-mail (Geiger, Fig 4, 422; Col 10, lines 43-62; Col. 7, lines 3-15).

6.   As to claim 52, Geiger-Malik teaches a communication apparatus further comprising a second obtaining unit, adapted to obtain maximum value information of a size of the E-mail capable of being received by said receiving unit (Geiger, Col 3, lines 28-51), wherein said discriminating unit discriminates whether or not to receive the E-mail by comparing the size information of the E-mail obtained by said first obtaining unit with the maximum value information obtained by said second obtaining unit (Geiger, Col 3, lines 28-51, Col 10, lines 32-42).

7.   In claim 53, Geiger-Malik teaches a communication apparatus wherein said controlling

unit receives only header information of the E-mail that said discriminating unit discriminates

not to receive, and stores, as communication history information, information obtained from the

received header information. Discrimination that is made base on sender is extracted from the

source address of the header (Geiger, Fig 14, Col 10, lines 50-55, Col 23, lines 1-5).

8.   In claim 54, Geiger-Malik teaches about a communication apparatus wherein said

controlling unit stores as communication history information the size information of the E-mail

that said discriminating unit discriminates not to receive (Geiger, Fig 14, Col 10, lines 43-62,

Col 23, lines 1-5).

9.   In claim 55, Geiger-Malik teaches about a communication apparatus according to Claim

23, wherein said controlling unit stores as communication history information a fact that the

reception by said receiving unit to the E-mail that said discriminating unit discriminates not to

receive is stopped (Geiger, Fig 14, Col 10, lines 43-62, Col 23, lines 1-5).

10.   In claim 56, Geiger-Malik teaches about a communication apparatus wherein said

controlling unit stores as communication history information a fact that the E-mail that said

discriminating unit discriminates not to receive is deleted (Geiger, Fig 14, Col 10, lines 43-62,

Col 23, lines 1-5).

11.   In claim 57, Geiger-Malik teaches about a communication apparatus wherein, in a case

where said receiving unit receives the E-mail that said discriminating unit discriminates to

receive, said controlling unit stores as communication history information the information

obtained from the E-mail received by said receiving unit (Geiger, Fig 14, Col 10, lines 43-62,

Col 23, lines 1-5).

12.   In claim 58, Geiger-Malik teaches about a communication apparatus further comprising

an output unit, adapted to, in a case where said receiving unit receives the E-mail that said

discriminating unit discriminates to receive, output the E-mail received by said receiving unit

(Geiger, Col 10, lines 43-62).

13.   Claims 60-61 and 63-70 are the methods to the apparatus of claims 49-59 respectively,

and are rejected under the same rationale as claims 49-59.

14.   Claim 71 is the computer-readable medium storing a program applied to the apparatus of

claim 49, and is rejected for the same reason as claim 49.

15.   In claim 47, Geiger-Malik teaches about a communication apparatus according to Claim

23, wherein, said controlling unit sends to said E-mail server an instruction for deleting from

the mail box the E-mail that said discriminating unit discriminated to receive (i.e. forwarding),

after said receiving unit receives the E-mail that said discriminating unit discriminated to receive

(Geiger, Col 10, lines 43-62).

16.   In claim 48, Geiger-Malik teaches about a communication method according to Claim

34, wherein, said controlling step includes sending to said E-mail server an instruction for

deleting from the mail box the E-mail that said discriminating step discriminated to receive

(i.e. forwarding), after the Email that said discriminating unit discriminated to receive is

received in said receiving step (Geiger, Col 10, lines 43-62).

Response to Arguments

17.   Applicant's arguments with respect to claims 49-50, 52-61 and 63-71 have been

considered but are moot in view of the new ground(s) of rejection. The new grounds of rejection

teaches the newly added limitations including the sending unit and determining unit.

Conclusion

18.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The

examiner can normally be reached on 9 hour flex. First Friday.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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/Paul H. Kang/
Primary Examiner
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